

1-1 By: Duncan S.B. No. 585
1-2 (In the Senate - Filed February 19, 2003; February 24, 2003,
1-3 read first time and referred to Committee on Natural Resources;
1-4 March 13, 2003, reported favorably by the following vote: Yeas 10,
1-5 Nays 0; March 13, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to providing money to pay for the remediation, cleanup,
1-9 and closure of unpermitted solid waste facilities.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 361.014, Health and
1-12 Safety Code, is amended to read as follows:

1-13 (a) Revenue received by the commission under Section
1-14 361.013 shall be deposited in the state treasury to the credit of
1-15 the commission. Half of the revenue is dedicated to the
1-16 commission's municipal solid waste permitting and enforcement
1-17 programs and related support activities and to pay for activities
1-18 that will enhance the state's solid waste management program,
1-19 including:

1-20 (1) provision of funds for the municipal solid waste
1-21 management planning fund and the municipal solid waste resource
1-22 recovery applied research and technical assistance fund
1-23 established by the Comprehensive Municipal Solid Waste Management,
1-24 Resource Recovery, and Conservation Act (Chapter 363);

1-25 (2) conduct of demonstration projects and studies to
1-26 help local governments of various populations and the private
1-27 sector to convert to accounting systems and set rates that reflect
1-28 the full costs of providing waste management services and are
1-29 proportionate to the amount of waste generated;

1-30 (3) provision of technical assistance to local
1-31 governments concerning solid waste management;

1-32 (4) establishment of a solid waste resource center in
1-33 the commission and an office of waste minimization and recycling;

1-34 (5) provision of supplemental funding to local
1-35 governments for the enforcement of this chapter, the Texas Litter
1-36 Abatement Act (Chapter 365), and Chapters 391 and 683,
1-37 Transportation Code;

1-38 (6) conduct of a statewide public awareness program
1-39 concerning solid waste management;

1-40 (7) provision of supplemental funds for other state
1-41 agencies with responsibilities concerning solid waste management,
1-42 recycling, and other initiatives with the purpose of diverting
1-43 recyclable waste from landfills;

1-44 (8) conduct of research to promote the development and
1-45 stimulation of markets for recycled waste products;

1-46 (9) creation of a state municipal solid waste
1-47 superfund for:

1-48 (A) the cleanup of unauthorized tire dumps and
1-49 solid waste dumps for which a responsible party cannot be located or
1-50 is not immediately financially able to provide the cleanup; ~~and~~

1-51 (B) the cleanup or proper closure of abandoned or
1-52 contaminated municipal solid waste sites for which a responsible
1-53 party is not immediately financially able to provide the cleanup;
1-54 and

1-55 (C) remediation, cleanup, and proper closure of
1-56 unauthorized recycling sites for which a responsible party is not
1-57 immediately financially able to perform the remediation, cleanup,
1-58 and closure;

1-59 (10) provision of funds to mitigate the economic and
1-60 environmental impacts of lead-acid battery recycling activities on
1-61 local governments; and

1-62 (11) provision of funds for the conduct of research by
1-63 a public or private entity to assist the state in developing new
1-64 technologies and methods to reduce the amount of municipal waste

2-1 disposed of in landfills.

2-2 SECTION 2. This Act takes effect September 1, 2003.

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